

BOARD OF SELECTMEN

Minutes of the Meeting of 17 November 2005 at 4:00 PM. The meeting took place in the Nantucket High School Cafeteria, 10 Surfside Road, Nantucket, MA 02554. Members of the Board present were Doug Bennett, Brian Chadwick, Michael Glowacki, Bruce Watts and Whiting Willauer. Chairman Glowacki called the meeting to order at 4:00 PM.

Citizen/Departmental Requests

Finance Department: Request for Approval of Bond Sale. Finance Director Connie Voges gave details of nine responses received with low bidder at 3.88%. She noted parts of the vote needed, Chairman Glowacki asked about and Ms. Voges explained authorization of refunding and selling of bonds, giving particulars for the refunding as a follow up of the last mtg. She noted dollars saved in the refunding and its effect. Chairman Glowacki read the motion as provided as attached. Mr. Bennett made the motion. Mr. Watts seconded. So voted unanimously.

Public Hearings

1. Public Hearing to Consider Application of Madjams, Inc dba The Bamboo Supper Club, Shannon Haddon, Manager, for an Entertainment License for Premises Located at 2 Chin's Way. Chairman Glowacki opened the public hearing. No comments either for or against were given. Chairman Glowacki closed the public hearing. Mr. Watts moved to approve the application and Mr. Chadwick seconded. So voted unanimously.

2. Public Hearing to Consider the Relocation of Pole No. 75/16 on Pleasant Street for Pole Jointly Owned by Verizon New England Inc and Nantucket Electric Company. Chairman Glowacki opened the public hearing. Walter Flaherty, representing Verizon, welcomed any questions. As there were none, Chairman Glowacki closed the public hearing. Mr. Watts moved to approve the pole relocation. Mr. Chadwick seconded. So voted unanimously.

3. Public Hearing to Consider Changing the Designation of On-Street Parking Along the West Side of Washington Street between the NRTA Stops and Coffin Street. Chairman Glowacki opened the public hearing. Traffic Safety Advisory Committee Chairman Jack Gardner advised that the committee made the recommendation in response to request to do so. Attorney Jamie Ranney representing two business owners of Washington Street, noting reasons for change regarding 7-8 parking spaces as related to clients' businesses at Cabbage Rose and Parchment. Chairman Glowacki asked for comments in favor or against. Beth Brooks of 6 Union Street spoke in opposition to the change from 2-hour to 1-hour parking and requested no action until "determination of NRTA parking with comprehensive plan" exists. Amanda Nissin also spoke against the change from 2-hr parking and noted petition of names. Ashley Brooks, owner of Force Five, noted loss of 10-12 spaces due to NRTA and airport buses and also requested delay in action. Mr. Ranney added that the resident parking seems to be the issue rather than the 2-hour designation and shared photos with the Board of cars that are parked by residents at all times. He referenced that a driveway at 6 Union Street exists that could allow four spaces and the bylaw's purpose. He suggested that practically 4-5 of 9 spots to be changed are being used by residents and that commercial district has grown in area and asked for Board action. Beth Brooks spoke about residential-commercial area and noted there's "no where else to park." Sara Manning and Ashley Brooks spoke further as residents in opposition to a change. Mr. Bennett shared thoughts on 2 Candle Street parking and moved to take no action until a comprehensive study is made. There was no second. Mr. Watts noted benefit of 1-hour designation. Mr. Chadwick asked Ms. Brooks about buses being removed and return to 1 hour if that would solve problem. Mr. Bennett moved that no action be taken until comprehensive plan exists to increase parking infrastructure. There was no second. Chairman Glowacki closed the public hearing. Mr. Watts moved to go along with TSAC recommendation to change the parking designation from 2 to 1 hour. Mr. Chadwick seconded. So voted with Mr. Willauer, Mr. Chadwick and Mr. Watts in favor. Mr. Bennett was opposed.

4. Public Hearing to Consider Elimination of the Old South Road "Stop Sign" at the Intersection of Lovers Lane. Chairman Glowacki opened the public hearing. Mr. Gardner gave background of the request and reason for original placement before completion of the bike path. Arthur Gasbarro of TSAC and Mohamed Nabulsi of DPW noted guidelines for such signs and reasons it is not warranted at this location. Mr. Shaw noted initial placement not based on engineering study and asked about Old South Road crosswalks at NRTA stops. On the Chairman's invitation to speak in favor, Marsha Limperis of Lovers Lane noted traffic and the likelihood of speed if removed. Marcus Silverstein likewise spoke for reasons to keep the sign. Mike Burns noted new Board and revisit to issues and spoke in support of addressing traffic on the roadway with the sign. Curtis Barnes noted control of traffic in a broader radius effected by the sign. Tim Soverino spoke in opposition to removal for children's sake as public is used to it and noted slowing would help newly placed crosswalks. Finn Murphy noted safety history and requested it remain, noting in-depth study has occurred and that speed change could not occur. Charity Benz, Naushop resident, noted women and children on Old South Road and difficulty to cross at area even with stop sign. Mr. Willauer asked about street marking for sign and DPW Director Jeff Willett answered. Mr. Watts compared the road to Milestone Road. Mr. Chadwick gave his view then and now. Chairman Glowacki closed the public hearing. Mr. Bennett moved to remove the sign. Mr. Watts seconded. Mr. Bennett and Mr. Watts voted in favor of removing the sign. Mr. Willauer, Mr. Chadwick and Chairman Glowacki voted in opposition to removing the sign.

5. Public Hearing to Consider Changing the Landfill Fee Schedule (continued from 15 September 2005). Chairman Glowacki opened the public hearing and provided background. Whitney Hall of Waste Options explained how the fee increase was determined, noting breakdown is on 9/21/05 report analysis and verification of costs exist as per recent shipping figures. He noted options listed and price determination as based on trips with totals based on FY 05 numbers. Mr. Chadwick asked about destination and costs per ton in light of a newspaper article. Mr. Hall clarified the estimate, noting that invoices from Steamship were to come. When asked about separation, Mr. Hall noted that a beneficial use determination (BUD) would indeed allow a lower rate to destination landfill and that once direction is provided, a BUD and long-term deal with Bourn landfill would meet DEP requirements. Mr. Chadwick referred to promulgation and effective dates of law and the requirement to have a plan to address. Mr. Hall indicated July 7, 2006 as date of Town responsibility for change in law. Chairman Glowacki clarified the question for the Board, noting that the Board is being asked essentially to advance the July 7, 2006 effective date of the new law prohibiting acceptance of wood in the landfill in order to save capacity there. Mr. Hall noted that small space remains in cell and will have to leave anyway. Chairman Glowacki noted 1997 contract date, the December 2001 mining permit and asked about mining in intervening time. Mr. Hall explained about being under construction and that plans/permits to process were not in place to do so, adding that mining is to occur after Thanksgiving. Mr. Watts asked about benefits of tub grinder use and Mr. Hall noted a lesser fee would result and that it would be most economical way to answer the law.

DPW Director Jeff Willett reminded the Board that the Town's share of money for C & D fees subsidizes costs of other items brought to landfill without charges, noting other revenue sources would be required if this is lost and that as per sequencing in lined cell operation, mining couldn't have taken place earlier. Mr. Chadwick shared confusion on "adequate costs" and "ton of money left over." Mr. Willett noted an old pay as you go system option previously proposed and that the current question is of philosophy rather than regarding contract. Mr. Bennett added that contract is not issue at hand, but that the need is for plan to deal with disposal. Mr. Willauer inquired about "downstream questions" and asked about other methodologies for handling waste. He asked for pros/cons from Mr. Hall who responded that incineration is not an option in Massachusetts, gasification is encouraged by state but debatable and agreed about interest in long-term solution.

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Chairman Glowacki welcomed public comment on the rate increase. Dan Drake asked about costs being incremental and shared concern about possible resultant littering elsewhere on the island. Curtis Barnes spoke in support of the increase and the need to address questions of Waste Options' letter. Ted Taylor noted the needs to immediately address problem and to do a better job of projecting. Mark Godfrey noted contractors are subsidizing residential trash handling and asked about required separation of wood. Robert Schwartzenbach asked about option to refuse C&D materials and WO's responsibility. Mr. Willett noted that of the proposed fee increase of \$125 none would go to WO but to direct costs of material handling. Bruce Miller of the Finance Committee shared observations that July 2006 is date for action, noted that WO has done a good job of showing incremental costs to ship off and asked "what is potential offsetting savings?" Discussion followed on costs of filling lined cell, saving space in cell over next months if we begin to address now, and Harbor House plan to ship C & D off as per Planning Board. Mr. Hall noted separation of clean wood issue and Town bylaw and mandatory sep of C&D waste as WO is enforcing. He added that they know the impact to operating costs of shipping off is about 30/ton savings and would agree to reduce fee structure going forward, but would need to revisit if necessary for July on. He suggested sticking with the request for the proposed \$125 increase. Mr. Chadwick asked about the building itself, noting Town's ownership and upkeep needs to which Mr. Hall responded. Mr. Chadwick noted need to look at overall issue and long-term problem. Mr. Watts noted need to respond now. Mr. Glowacki referenced incremental costs and concerns and the need to substantiate the figures more precisely. Mr. Willauer suggested outside consultants to avoid Board's guessing, which Mr. Bennett supported.

Chairman Glowacki closed the public hearing and noted the question on adoption of \$125 increase for C & D materials to be effective in 30 days. Mr. Bennett moved to postpone the decision until the Board gets expert advice. Mr. Willauer seconded. Mr. Chadwick requested amendment to deal with matter before the Board. Mr. Bennett and Mr. Willauer voted in favor. Mr. Chadwick, Mr. Watts and Chairman Glowacki were opposed. Mr. Chadwick moved to not approve the fee increase. Mr. Willauer seconded. Mr. Chadwick, Mr. Willauer and Chairman Glowacki voted in favor of the motion. Mr. Watts and Mr. Bennett were opposed. The fee increase was not approved.

The meeting adjourned at 6:22 PM.

Approved the 7th day of December 2005.